

# FAQs

**Q: What is the role of the Criminal Division of the Torrance City Attorney's Office in the criminal justice system?**

A. The Criminal Division of the Torrance City Attorney's Office represents the People of the State of California. When a law enforcement agency investigates a misdemeanor crime, committed by an adult, occurring in the City of Torrance, the completed investigation is presented to the Torrance City Attorney's Office by the investigative agency for filing consideration. In cases where misdemeanor charges are filed, the Torrance City Attorney's Office continues to represent the People of the State of California in all proceedings from arraignment through the appellate process.

**Q. What is the duty of the Criminal Division of the Torrance City Attorney's Office when considering the filing of criminal charges?**

A. It is a prosecutors duty to analyze a case based on the evidence and triability and not based on politics or public sentiment unrelated to the likelihood of prevailing before a jury. In some cases, the prosecutor may decide not to proceed with a case against a suspect. A prosecutor must decline to prosecute a case if there is insufficient evidence. A prosecutor may request further information if more investigation is required, and may reconsider filing decisions if additional information becomes available within the statute of limitations.

**Q. What does the Criminal Division of the Torrance City Attorney's Office review before making filing decisions?**

A. Before filing a case, a prosecutor will review the facts in any reports and any evidence included by the law enforcement agency. This can include, but is not limited to, police reports, audio and video recordings, photographs, witness statements, etc. The prosecutor will evaluate whether there is enough evidence to support the filing of criminal charges.

**Q. What is the burden of proof for filing criminal charges?**

A. The law states that all persons arrested for and charged with a crime are presumed innocent, and it is the burden of the People of the State of California to prove a defendant guilty beyond a reasonable doubt to secure a criminal conviction. Therefore, criminal prosecution cannot be initiated, and must be terminated, if the prosecutor does not believe there is admissible evidence of such convincing force that it would warrant conviction of the crime charged by a reasonable and objective factfinder after hearing all the evidence available and after hearing the most plausible, reasonably foreseeable defense that could be raised.

**Q. What happens if the Criminal Division of the Torrance City Attorney's Office determines charges should be filed?**

A. If the evidence is convincing, the prosecutor will determine the final charges and will file a criminal complaint. The filing of the criminal complaint is the starting point for criminal proceedings in court.